

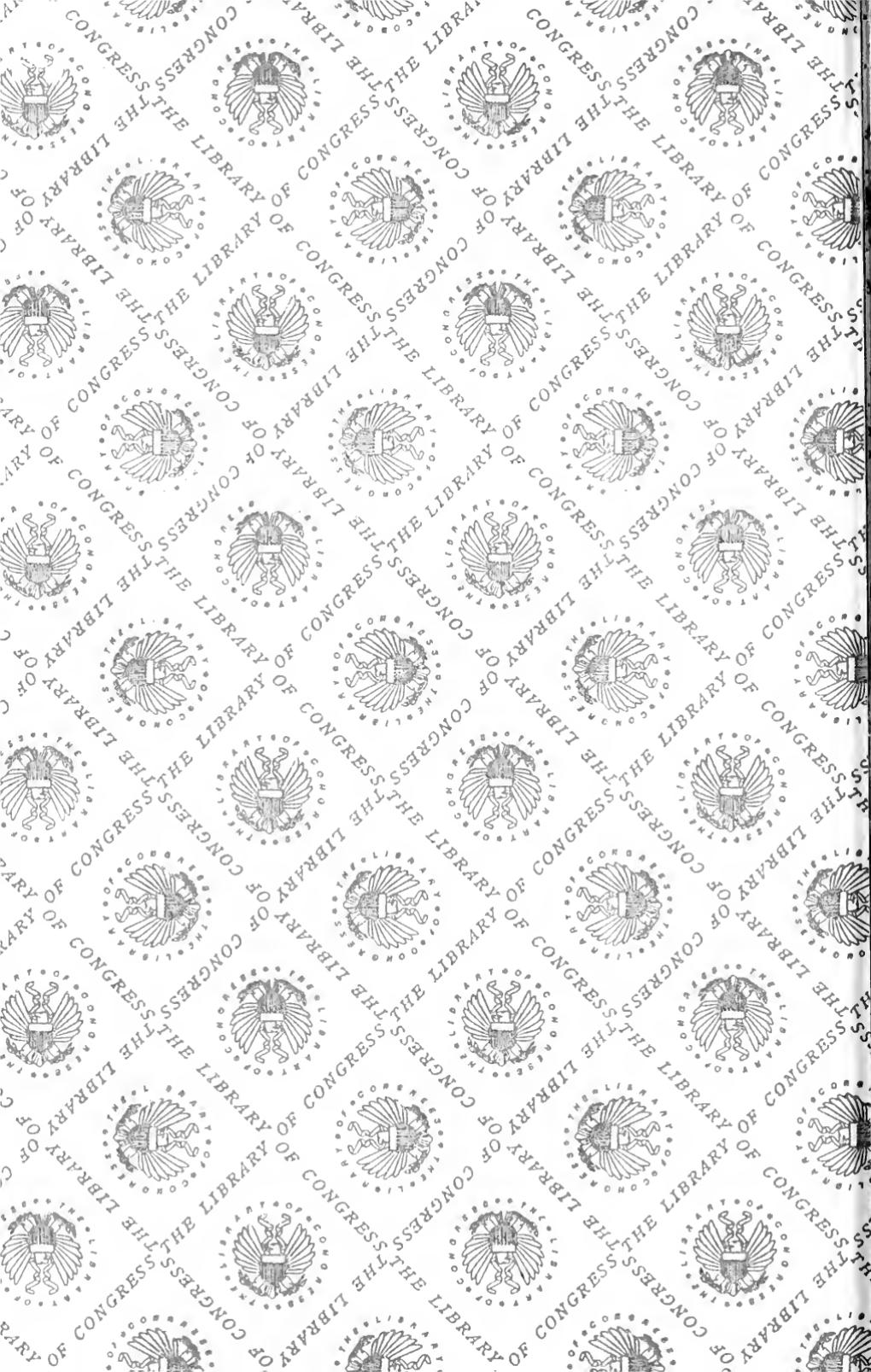
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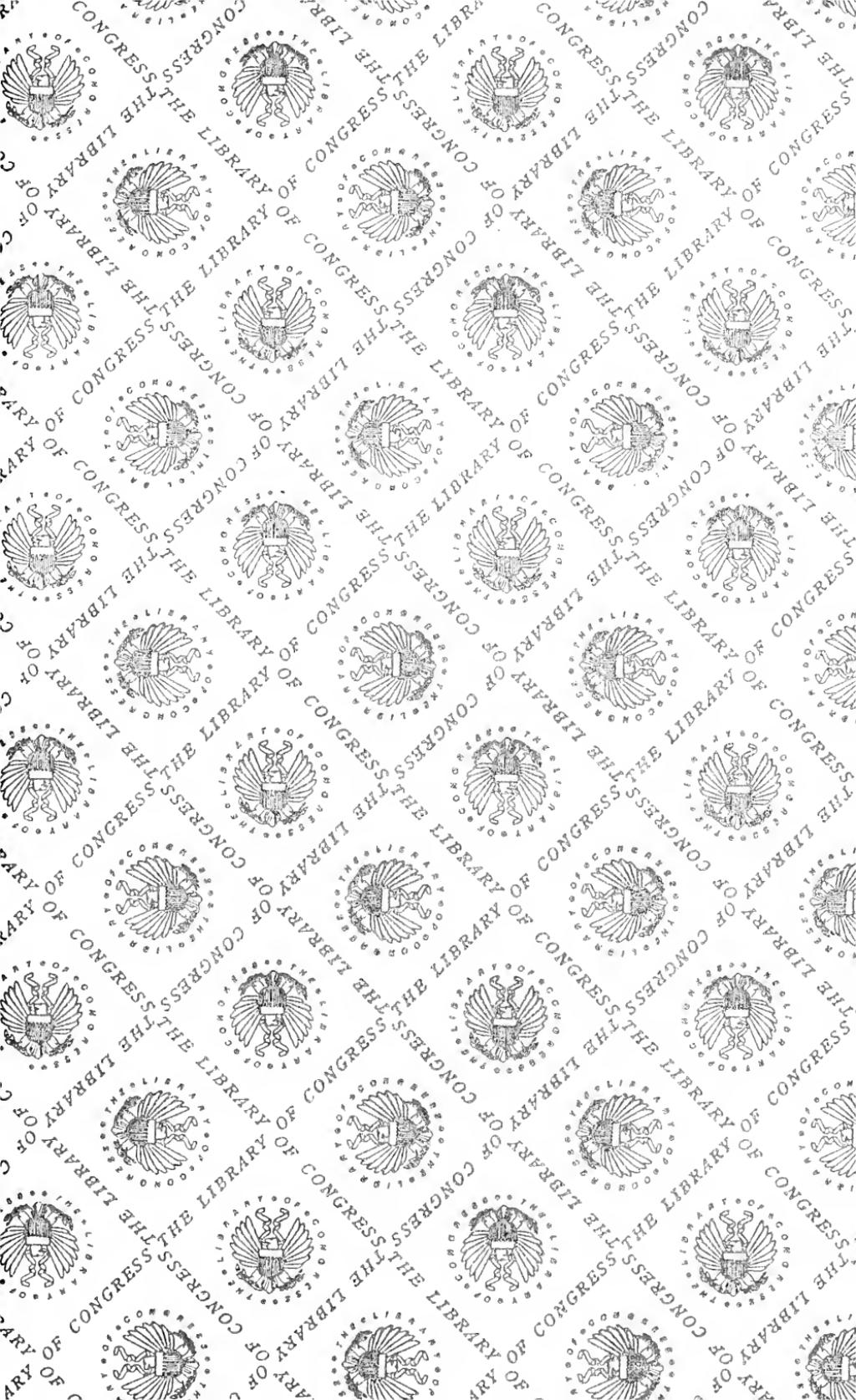
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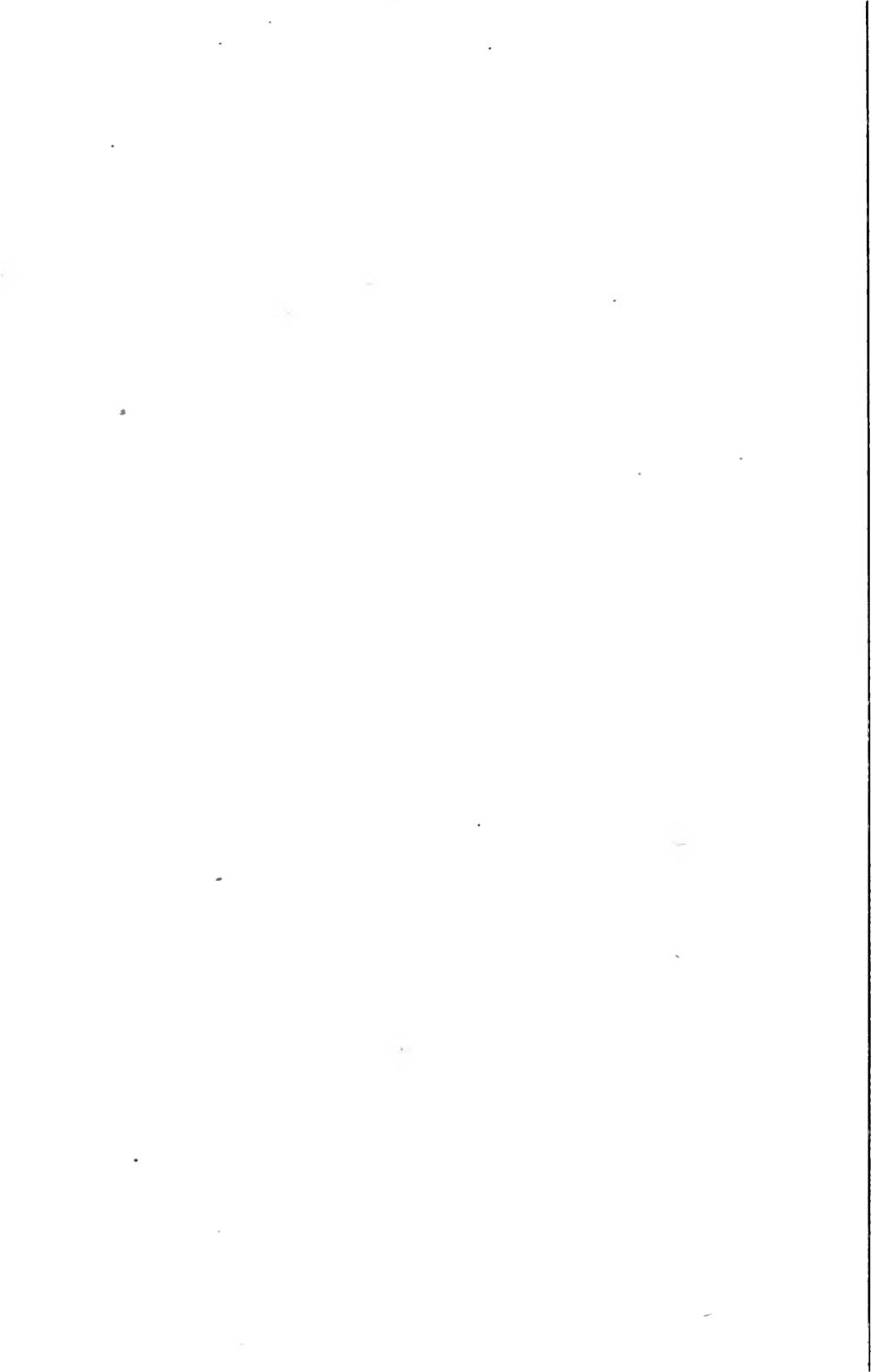
REMARKS ON THE EXISTING REBELLION:

ITS CAUSE—THE DUTY OF SUPPRESSING IT—THE
OBJECT OF SUPPRESSING IT—A CONSERVATIVE
MOVEMENT—THE GOVERNMENT TO BE PRESERVED
—THE PEOPLE TO BE COMPELLED TO OBEY THE
LAWS AS FREEMEN—DISFRANCHISEMENT OF
REBEL MASSES IMPOLITIC, UNNECESSARY,
DANGEROUS—A VIRTUAL ABANDONMENT
OF LIBERTY—A SETTING UP OF ARBI
TRARY GOVERNMENT

BY AN ORIGINAL REPUBLICAN.

ST. LOUIS:
PRINTED AT THE DISPATCH OFFICE, CORNER OF THIRD AND LOCUST.

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George Taylor Green

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THE REBELLION.

WE are now in the fifth year of the war inaugurated by Southern slaveholders against the peace of a prosperous and happy country.

It is hazarding little to say that it is one of the most causeless wars in the history of mankind. The rebel leaders were made satisfied by the popular election of 1860 they could no longer control the political administration of the nation; and for this reason they broke its ancient and sacred peace. They knew a majority of the people were opposed to the perpetuation of an unrighteous institution; and they determined not to abide the people's will.

As long as the rebel leaders controlled a majority of votes, they respected the principles of free Government, under which we had lived so long and so happily; and they appealed to those principles to uphold their official power and political influence. But as soon as they saw the votes were against them, they repudiated popular liberty, levied war, fired on the flag of their country, and excited and drove the unthinking masses of their section into rebellion. It was after Abraham Lincoln had been elected President of the United States that Alexander Stephens declared his "settled convictions" that the national Union "came nearer the objects of all good Government than any other on the face of the earth."

"It is," said Mr. Stephens, "the best and freest Government, the most equal in its rights; the most just in its decisions, the most lenient in its measures, just in its decisions, the most aspiring in its principles to elevate the race of men that the sun of heaven ever shone upon."

It was after that event that Jefferson Davis spoke as follows: "Our fathers, learning wisdom from the experiments of Rome and Greece, the one a consolidated Republic, the other strictly a Confederacy, and taught by the lessons of our own experiment under the confederation, came together to form a more perfect union, and *in my judgment made the best Government that has ever been instituted by man.*"

The Southern people had suffered no oppression. They had themselves assented to every law upon the statute book. In all the manifestoes which the rebel leaders put forth, they mentioned nothing which is entitled to the least respect. They did indeed assert that the majority of the people had placed themselves upon the record in opposition to slavery; and to prevent the free discussion of the subject, and to arrest that fair and lawful course of the popular will in regard to it, they persuaded, cajoled and drove their people into revolt.

Whether the war be looked upon as a war for the perpetuation of slavery; a war against the free expression of political opinions; a war to arrest the course of popular will in legal and constitutional form expressed; or a war for the personal aggrandizement of ambitious aspirants, it is unparalleled in

wantonness and wickedness. The future historian having searched in vain for the justification to cover this insurrection against the "best Government" "ever instituted by man;" having failed to raise for the conduct of Jefferson Davis & Co., on a review of our whole history, civil, political and religious, even a semblance of palliation, will be compelled to find its exemplar, not in the records of civilized nations, but among those piratical States of Barbary or those savage hordes of Asia, who, proclaiming the principles of despotism, have openly rejected and despised all the rights of their fellow men. Never was any Government called upon by higher duties to resist a rebellion. The cause of resistance was the cause of law, of liberty, of humanity. The rebellion, odious in its feature of wantonly disturbing the peace; of recklessly embruing its hands in blood; odious in its feature of setting at defiance the great cardinal principles of popular government; odious in its features of vaulting personal ambition, is yet more odious in its characteristic feature of secession. Secession, the right of a State to secede from the nation! The right of a county to secede from the State! A township from a county! A neighborhood from a township! The right of a criminal to secede from the law, to assert exemption from duty, immunity for crime! This monstrous heresy has nothing in it that is good, but embodies every political error and every social evil. It is destructive alike of government, society and the domestic relations. To resist it was a duty not of *revolution*, but of *conservatism*; and the means of resistance was defined by the purpose—that purpose to save, to secure against perishing, the noblest structures which exist in the world. To maintain by every means the very greatest interests that was ever confided to rulers. It was thus the nation came to this work of *resistance and preservation*. And thus it is the work is to be accomplished, if ever under God it is to be accomplished at all.

The great duty which devolved upon the Administration at Washington when it came into power on the 4th of March, 1861, was the *preservation* of the Government *with peace* if consistent with its safety and honor, but the preservation of the Government *at all hazards*, and by the use of every energy of war if necessary.

If the rebellion would not yield without force, then the Administration (and by this all departments of Government are embraced) was bound to use force to put the rebellion down; to remove away the causes that produced it; to maintain the supremacy of the laws, and restore the authority of the civil functionaries. This was their whole mission. They had no other.

It was a grand spectacle when the loyal millions rose up with one mighty will and mighty enthusiasm to perform that work of *conservatism* and *restoration*; the maintainance of laws, the restoration of peace. And right nobly has the nation borne itself amid all the vicissitudes of the continuing struggle; every day, and every month and every year of which has developed more and more the national power, and more and more circumscribed the limits and lopped away the stays and crushed the hopes of the rebellion. Slowly but surely the military life of the enemy seems sinking into the grave.

The world looks on with cold indifference. No sympathetic hand is extended to aid. No word of pity is uttered to console. In vain the "Confederacy" has knelt and begged for recognition—for countenance at the bar of nations. The nations have spurned the crawling mendicant from their bar. The stern and inexorable language of the nations to Jefferson Davis & Co., is this: "You

are the only people, since the world began, who have proclaimed a purpose, a fixed, deliberate purpose, to lay the foundation of the State upon the slavery of their fellow-men. We loathe your principles. We spurn your petitions." And this is right. It is right in the sight of man. It is right in the sight of God.

There is such a thing as truth upon the earth, and no man can hide its light, and millions of men cannot crush its power.

The attempt of southern slave holders to overawe the spirit of the nation, and defy the sense of mankind, by interpolating slavery into the moral code of the world, was a crime hardly less flagrant than when fiends did seek to scale the battlements of Heaven. Great was the offence, and dreadful has been the rebuke. It was rebuked by the majestic uprising of 1861, when twenty millions of freemen united to denounce the atrocious sentiment. It has been rebuked upon more than one hundred fields of battle; where those who came to propagate their new gospel by the sword found only bloody graves. It has been rebuked by scenes of devastation and suffering over which the heart sickens, and humanity vainly attempts to draw the veil; and it has been not less signally rebuked by the solemn judgment of the civilized world, which has ever pointed at "the guilty, shameless thing" "the slow, unmoving finger of its scorn."

Yet the humiliation of the secession movement is not fully told. The slavery perpetuationists repudiate at last the principle of their own action. They deny their own published and vaunted motives; they eat their own bitter words.

It is not slavery, forsooth, for which they fight! They never wished to perpetuate slavery! They are emancipationists! They have no difficulty even on the question of political power to emancipate! They find it in the clause of the Montgomery Constitution which provides that "no law denying or impairing the right of property in negro slaves shall ever be passed by the Confederate Congress." Art. I, Sec. 9.

Behold how the principle of the war, the motive that induced it, the very end it sought, has vanished! What a tremendous revolution is here! How much more have the insurrectionists to yield before they can submit to "the best Government that ever has been instituted by man?"

Yet a little while and it would seem their armies must cease to exist. Already the rebellion lives but at a single point. In Richmond are congregated an army and a number of persons calling themselves the Confederate Congress.

Another number of persons there call themselves an Executive Department. And this is the Confederate Government. It holds dominion over Richmond and Petersburg. Outside of these fortified places, there is nothing which it may truly call its own. The moment this army is dissolved or captured, in that same moment the organization known as the "Confederate Government" ceases to exist; and as soon as the "Confederate Government" ceases to exist the laws of the United States are again the lawful and only rule of action everywhere in the national domain.

It would seem to be the plainest suggestion of reason that when this state of things is reached the Union is maintained; the Government of the United States is restored, so far as force can do it.

The Government of the United States was overthrown, in the seceding section, by forcible resistance to it, there too powerful for the execution of the laws

by civil functionaries. If, therefore, you beat down, remove out of the way, or destroy that forcible resistance, you leave the people and the civil officers free to act; and you necessarily restore the Government, so far as it is possible ever to restore any Government, based on the popular will. All popular Government rests upon the fundamental idea that the people, left to their own free will, have virtue and intelligence enough to see and do what is right and best for their own interests. He who denies this proposition denies the whole theory of popular liberty. Let us never lose sight of this great truth; and it will relieve us of all the doubt and perplexity which surrounds the policy of reconstruction.

"The best form of Government ever instituted by man" has, during our present troubles, been menaced by two dangers: First, that the rebel power, aided or alone, might prove too strong for the nation. Second, that, amidst the excitement incident to the contest, the principles of liberty would be forgotten, even by its own friends, and a new Government would result, based upon arbitrary power.

If it be a fact that the first of these is passing away, there is yet no such assurance in regard to the second. So true is it that one extreme almost invariably begets another, it seems that not secessionists alone would now repudiate liberty.

These painful reflections are forced upon us by a series of political events, which have transpired during the last year, and which indicate, to an alarming degree, the unsettling of the public mind, with reference to doctrines once universally admitted in this country. I allude to those frequent declarations of leading citizens, and resolutions of popular meetings, and efforts of legislation and constitution making, to the effect that large masses of the American people, lately participating in Government here, are unfit for free institutions, and henceforth to be excluded from the right of suffrage.

A convention of delegates, assembled for remodeling the Constitution of Maryland, finished their work in September last by incorporating among others, the following provisions:

"SEC. 66. No person who has at any time been in armed hostility to the United States, or the lawful authority thereof, or who has been, in any manner, in the service of the "so-called Confederate States;" no person who has voluntarily left this State and gone within the military lines of the so-called "Confederate States" or armies, with the purpose of adhering to said States or armies; no person who has given any aid, comfort, countenance or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies, money, goods, letters, or information, or who has disloyally held communication with the enemies of the United States, or advised any person to enter the service of said enemies, or aided any person to so enter, or by any open deed or word declared his adhesion to the enemies of the United States, or his desire for the triumph of said enemies over the armies of the United States, shall ever be entitled to vote at any election to be held in this State, or to hold any office of profit, honor or trust under the laws of the State." But the prohibition shall not apply to one who afterwards "voluntarily entered the service of the United States," and was "honorably discharged," or shall be so in said "service on the day of election," or shall

have been "restored to his full rights by a vote of two-thirds of all the members of the General Assembly." This Constitution was submitted to a vote of the people of Maryland, and has been proclaimed duly ratified.

A Constitutional Convention, now sitting in the State of Missouri, at St. Louis, have agreed upon an ordinance which improves much upon that of Maryland—adds both to the causes of disfranchisement and the classes of persons who are to suffer its penalties.

It includes everything which the Maryland ordinance contains, and, in addition, embraces adherents to the "*foreign and domestic enemies*" of the United States, every one who, by "*act or word manifested*" adherence to them, or "*sympathy*" with those "*engaged in exciting or carrying on rebellion;*" who, save under "*overwhelming compulsion*," "*submitted to the authority*" of the Confederates; who has been a "*member*" of any "*society, order or organization inimical to the Government of the United States or to the State;*" or engaged in "*guerrilla warfare against loyal inhabitants of the United States,*" or "*bushwhacking,*" or "*knowingly and willingly harbored, aided or countenanced*" such; or come into this State or left "*to avoid draft,*" or "*enrolment in the militia,*" or "*to escape performance of duty therein,*" or "*authorized himself to be enrolled as disloyal,*" or a "*Southern sympathizer,*" or "*in other terms, indicating disaffection to the Government in its contest with rebellion,*" or "*sympathy with those engaged in rebellion,*" or has "*voted at any election,*" or "*held office in the United States or Territories,*" and has after "*sought or received, under claim of allegiance, protection of any foreign government exemption from military duty.*"

Besides political disfranchisement, the Missouri ordinance prohibits the offender from being "*an officer, councilman, director, trustee or manager of any corporation, public or private, now existing or hereafter established,*" or acting as "*professor or teacher in any educational institution,*" or holding "*real estate or other property in trust for the use of any church, religious society or congregation.*"

But these stringent provisions, it is generously declared, shall not apply to any person who committed such act or thought while he was not a citizen of the United States, and in some foreign country at war with the United States. It is possible that the Convention may yet modify the foregoing provisions. If so, the changes are likely to indicate only a fiercer spirit of proscription.

On the 16th of December last, Mr. Ashley, from the Select Committee on Rebellious States, reported to the House of Representatives in Congress "A bill to guarantee to certain States whose governments have been usurped or overthrown a Republican form of government."

The bill provided for holding elections in all the States embraced by its title, with a view to re-establishing government therein. The elections to be held "*by the loyal male citizens of the United States of the age of twenty-one years,*" "*but no person who had held or exercised any office, civil or military, State or Confederate, under the rebel usurpation, or who had voluntarily borne arms against the United States, should be eligible to be elected at such elections.*" And in case any person who had borne arms against the United States should offer to vote, he should be deemed to have borne arms voluntarily, unless he should prove the contrary by a qualified voter.

The bill was lost by a small vote, and is most certainly not abandoned.

These events sufficiently indicate the scheme which the party, known as *Radicals*, have devised for the basis of reconstruction. It is believed they can, if they will, carry it out. Their spirit prevails now in the Executive Department at Washington; their partizans will be more numerous in the next, than in the last, Congress. By such manipulations and appliances as the War Department is able to supply, the execution of the plan may be regarded as not only possible, but probable, in the near future. The means which secured the Maryland ordinance of disfranchisement did not fail of success in Missouri; and the power to procure similar ordinances in every rebel State, or to pass Mr. Ashley's bill whenever desired, may be conceded.

The wisdom of such a policy is by far the gravest question now pending before the American nation. The danger of the movement, if there be danger in it, is imminent. The relief from that danger, if it come at all, must come from the "sober second thought" of the people.

What then, in brief, is the effect of this policy? Why to exclude from all right of suffrage, representation and office-holding, some four or five millions of the masses of the people lately co-operating in the Government of the United States.

The disfranchisement will reach a large portion of the white population in the border States; and almost the entire white population of all the States lying on the Gulf and Ocean. This disfranchised population will embrace a fair proportion of the intelligence of their section, and, in point of activity and courage, a people not inferior to any in the world. They inhabit a vast extent of territory teeming with the elements of national and individual wealth and power. The proposition is to cut off these people from all participation in the future conduct of their Government, and yet maintain, by such means as we can, our authority as governors over them.

The first suggestion that rises to the mind in view of this astounding problem is, that never before, in the history of the civilized world, has such a project been put in execution. Never has any such thing been attempted. Whether you look to the history of Europe or America, you find nothing of the sort whatever. There is no portion of history clearer in its details or more satisfactory in its teaching than that which relates to these civil commotions, insurrections and rebellions. All governments have suffered from them. Nor is it likely that mankind will soon become so perfect as to be free from that spirit of faction which creates them. Civil wars, always bitter while they last, have ended in one uniform way,—one party or the other is conquered in the field, its military power broken, its means of resistance destroyed. As soon as this takes place the people who have previously clung to the fallen party, if permitted do so, abandon it, give in their adhesion to the victors; and *become the most obedient and humble subjects* of the ruling power. The war of the American Revolution serves as an illustration. It lasted seven years and resulted in the separation of the American Colonies from Great Britain. The course of the Tory party, or those who rallied to the King, was marked by unrivalled barbarity. But when our fathers had captured the King's armies, and driven away his fleets from our coast, they did not disfranchise the Tories. They did not prohibit them from taking part in the elections; our fathers did not pursue the fallen and humbled, that crouched beneath their feet, with policies or feelings of revenge. But when the war was over, they wisely suffered its strife to cease.

Succeeding the American Revolution, and partly inspired by it, darkly and

fiercely rose that of France, altogether the most awful scene of modern ages. It came like the bursting of a volcano, and its waves of blood and fire rolled over nearly the whole earth. For almost thirty years France—indeed, nearly all Europe—endured the mortal agonies of that convulsion. On the dreadful fields of DeLigne, Quartre Bras and Waterloo, the star of Napoleon waned and went down. The Empire passed away, and France renewed her allegiance to her ancient Kings. But does the historian tell us that any laws were passed to disfranchise every Frenchman who had borne arms against the Bourbons, or held communication with rebels, or sympathized with treason? Not at all. Let us briefly consider the facts of the Hungarian rebellion of 1848. There have been few insurrections against lawful authority for less cause—none ever called forth deeper resentments. The house of Hapsburg, a proud old dynasty of three hundred years, found itself unexpectedly confronted by a hostile popular movement of tremendous proportions. The conspiracy pervaded every part of the Austrian dominions, but in Hungary reigned supreme. Great concessions were made to appease the spirit of revolt, but were made in vain. The Austrian monarch was driven from his capital, and his Government brought to the very verge of destruction. From first to last a half million of men were under arms. After every resource of its own had been used and exhausted, the Austrian monarchy was saved from impending fate by the intervention of Russia, and by that alone. On the 17th of June, 170,000 Russian veterans, led by the Prince Paschewitz, entered Hungary, by way of the Carpathian Mountains, and fell upon the rear of Gorgey's column, then pushing forward to Vienna. So great an accession to the Government side turned the scale against the rebels. Still they fought desperate battles, and often their armies were crowned with victory. More than fifty thousand Magyars fell in these latter conflicts, but, before the following September, the last of their fortresses was evacuated; and the last of their armies surrendered at discretion. Fourteen of the insurrectionists were brought to trial by court martial, and suffered on the scaffold. Mr. Allison adds: "Here the severities of the victorious Government ended. The inferior officers and private soldiers were all dismissed, without punishment, to their homes. No massacre of common men took place. Seventy thousand of the rebel soldiers, after a short interval, entered the Austrian service, and have ever since remained faithful to their colors."

It is difficult to see how the conquered party could act in any other way. To pursue the contest was to present their naked bodies to the sword. To submit was the necessary consequence of their position. The Hungarians did receive the Emperor's amnesty; did submit; did renew their allegiance; did vote at elections; did participate in the Government of the nation.

It would be quite as difficult to discover a rational motive on the part of the victors to prevent the conquered rebels from renewing their allegiance—from submitting themselves again to the laws of their country. Every civil war originates in the fact that a portion of the citizens of a Government resist its authority—refuse to obey its laws—and attempt to overthrow them by arms. The existence of civil war implies a precedent civil contest, wherein the insurgents sought to attain some end through the regularly appointed action of Government, and in which they failed; and, so failing, resorted to arms.

What, then, is the legitimate purpose of a Government in resisting insurrection? Undoubtedly to compel the insurgents to lay down their arms, and return to those appointed modes of action which are acknowledged by the Government.

The civil war in which we are involved grew out of an attempt by a political party to carry an election, in which they failed. It was their privilege to use the elective franchise, as appointed by the laws. It was their duty to submit to the result of the balloting, as declared in the lawful mode. When, therefore, they are beaten in arms they are forced back to their former just rights and duties as citizens; the right to use, as formerly, the ballot box; the duty to submit, as formerly, to the result.

Unless this is true it follows that the suppression of the rebellion necessarily includes a change in the form of government. Unless it is true no rebellion is suppressed until the form of government is so altered as to cast out from its fold all who have stood in opposition to it.

Shall the right of popular suffrage be rejected from our system of liberty because our enemies have endeavored to destroy it?

The United States, prior to the rebellion of 1861, was a Government based upon the fundamental idea that the people are the original source of all its power; and that these people shall exert that power by means of suffrage, and through representatives whom they select under the laws.

But if, when the military power of the rebels is effectually put down, and all their means of resistance taken away, they are forbidden to renew their allegiance, and excluded from all political influence, it is plain that it is *not the old*, but *a new Government*, to which they are made subject.

In that case, the old Government, against which the rebels rose, and which they sought to destroy, was not destroyed by them, but has, in fact, been destroyed by its own friends.

Carry out this policy already adopted in Missouri and Maryland, and put forward by Mr. Ashley and others in Congress, and the Southern people, embracing from four to six millions, will be sunk to a position lower than that of the struggling masses of Europe a century ago. Every privilege hitherto enjoyed by them as freemen will be taken away. Not only so, but since it is impossible to deprive one man of liberty without making one or more men his masters, you cannot adopt this policy without setting up an arbitrary Government. You may call it a Republic, as Mr. Ashley does, but that does not change its quality. It is in principle monarchic or aristocratic. The character of the whole proceedings is manifest, and not to be disguised by any abuse of terms or palliated by any motives which its friends may avow for it.

You commence the war confessedly to maintain free institutions; you end it by overthrowing them; you commence the war confessedly to preserve the liberties of the people; you end it by crushing the liberties of five or six millions of these people; you commence the war confessedly to maintain the Government of the United States; you end it by destroying that Government yourselves.

An attempt is sometimes made to distinguish between the two sections of the country with reference to maintaining the Government of the United States. A gentleman recently remarked: "You must admit that even in the event of the disfranchisement of the Southern rebels, and the establishment of an arbitrary Government over them, *the North* would still represent the Government of the United States and remain a free people!" The remark shows how little reflection the most intelligent persons give to the gravest questions. It belongs not to our system of liberty, but to the most violent and stubborn forms of feudal

despotism. Such Governments recognized the doctrine that power and slavery are inseparable. They conquered whomsoever they could, and whomsoever they conquered they chained often literally to their chariot wheels.

A Republic can make no conquests save such as may consist with the spread of its own free principles. There is no objection to conquering the rebels in arms against our Government. We must conquer them. Unless they lay down their arms we must utterly annihilate them. But when they have laid down their arms, and renewed their allegiance, the conquest is over.

A Government resulting from the war, with suffrage and liberty in the North and disfranchisement and subjection in the South—with a people in the North governing themselves by the ballot box, and a people in the South ruled over by Satraps, Pro-Consuls, Military Governors and Provost Marshals—would be a political monster, as unknown to any system of free institutions in the world as to our own forms of Constitutional freedom.

This plan of governing the South would throw into the hands of the President the largest power and patronage ever entrusted to man. The liberties, lives and property of the people would be with him. The agents to be appointed by him would be innumerable. These agents, by whatever title designated, would have under their appointment countless other agents, while swarms of aspirants, sycophants, expectants, hangers-on of every quality, would throng the courts of these satraps, and choke up every avenue of justice. No official, no personal responsibility could belong to such a system of administration, but disregard of the laws, duplicity, fraud, extortion, rapine imprisonments without cause, confiscations and seizures from unworthy motives, and every form of oppression would be inseparable from it.

He who cannot comprehend this is ignorant of the fact that unlimited power is sure to be abused, and that the instincts of ambition, avarice, lust and revenge yet reign in human hearts. How long would it take the virus of such a loathsome disease upon an extremity of the national body to poison the whole body? Once established in its place, in what manner could it be removed? The tendency of all such evils is to grow; to magnify their pretensions, and increase their power. Mr. Burke declared that the corruptions of the British colonial system in India reached back to England, impressed itself on Parliament, and threatened the liberties of the nation.

The same great statesman, on another occasion, averred that when three millions of people in a State should be perfectly subjected to the power of arbitrary rulers they would be “fit to make slaves” of all the rest.

“If,” says the immortal Montesquieu, the profoundest writer who has yet appeared on the science of Government, “a Democratic Republic subdues a nation *in order to govern them as subjects, it exposes its own liberty*, because it intrusts too great a power to those who are to govern the conquered provinces.”

In order to justify this policy of wholesale rebel disfranchisement, its advocates never cease to dilate upon the crime of the rebellion. They insist that the rebels of all sinners are the greatest. They pour forth just praises upon the Government of the United States, recount all its merits, remind us of the prosperity of the country, the happiness of the whole country, North and South, just prior to the outbreak of April, 1861, and do not fail to array before us, in all their sombre colors, the national and individual misery attributable wholly to these rebels. All this is true. There are no greater criminals, they are traitors; and for this guilt the lawful and merited punishment is death. Be-

sides, the guilt of the whole black catalogue of consequential crimes connected with treason and war wickedly waged is on their heads. But what then? Shall free Government be abandoned, and liberty become a myth, for this? God forbid! No crime that any people can commit is sufficient to deprive them of the rights of men. Why did we emancipate our slaves? Their ancestors, in Africa, were robbers and murderers, who captured, bought, sold, killed and ate one another. Pro-slavery writers have always contended that such crimes justified the enslavement of the race. But we have rejected this doctrine. The Republican party maintain that slavery is wrong; that there is no cause sufficient to warrant it; no justification for it.

If the crimes of men are a sufficient warrant for despotism, no Republican Government would ever have existed. Liberty would have fled from the earth when the first man insulted with base ingratitude the Beneficent Being who created and blessed him, and rejected, in a moment of guilt and passion, the joys of Paradise. But his Divine Master did not, in consideration of this monstrous offence, close the door upon him. On the contrary, he left open the door, and invited the return of the culprit the moment when his reason and his conscience should lead him back to the path of duty.

We hear a great deal now from our able statesmen, not only of the magnitude of the crime of the rebellion, which, it seems, is much worse than any that man could possibly commit against his Maker, but also of the perverse obstinacy with which the rebels maintain their hostility to government. We are told that persons who, for no sufficient cause, have evinced such enmity toward government can never be trusted. And the authors of this argument think they propound it in a most pungent form when they declare that their experience has taught that "once a rebel, always a rebel," is the only safe rule. The fact is, however, that the supposed rule is no rule at all, and the foundation on which it rests is entirely false.

The nature of man, the history of his race, individually and collectively, proclaim its folly. Our daily experience shows it to be false.

Men go into rebellion, as they go into any other adventure, for certain opinions they entertain, or certain feelings which they acknowledge. They hope to accomplish a purpose. They fail. They abandon their opinions. Their feelings change. Whenever this occurs, they cease to be rebels. Men are governed by motives in this as in other matters. If the rebels are overpowered and beaten in arms, it becomes a matter with them, if you let them, to sue for peace. It is their interest to lay down their arms and renew their allegiance, and the masses of every people, under such circumstances, if encouraged to do so, have abandoned opposition to their conquerors. Take the history of the British Islands, and you will find it teeming with rebellions. Any one who shall run over the index of Hume and Smollett, and the continuations of their history, may count not less than thirty in the period commencing with the troubles at Runnymede, and ending with the accession of George the Fourth.

It is impossible to deny that at one time or other every grade and class of the people of these islands have been insurrectionists against lawful authority—rebels, traitors. But does this prove that the people, who so made themselves rebels once, were always rebels? Or that, by having been rebels, they were not longer fit for free government? Or that they should have been disfranchised, and excluded from all political influence as fast as the several rebellions were brought to a close? If so, the conclusion would be that none of the British

people were fit for liberty! The British Government never took that view of the subject. It is believed that the masses were always permitted to renew their allegiance on a solemn oath of fealty and abjuration as soon as they were ready to do so. Amidst the convulsions of internecine war, the British people, to their honor be it recorded, continued to cherish liberty, and to-day we look back to their sea-girt islands looming up above the everlasting waves that break around them, and not less remarkable for the storms of human passion which have swept over them for a thousand years, for the models of our wisest laws and the spirit of our noblest institutions.

The rebellion of 1861 was a great crime. But it would be difficult to prove that great crimes are never committed by people who are fit for free government. Is there not a large number of wicked people now in the loyal section of the country? Is there not among us a large number of people whose loyalty is undoubted, but who manifest scarcely any other virtue or fitness for the discharge of political duties? How many of the common people of the South are rebels merely because they happened to reside there in 1860-61? How many in the North remained faithful to the Government merely because they chanced, at that period and since, to reside there? How many have absolutely been compelled to join in the rebellion from fear of death or loss of their estates, or from the possession of social or political influences, or from imbecility? Answers to these questions must show how illogical it is to infer that persons who have identified themselves with the rebellion, under whatever circumstances, are unfit for free Government; or even hostile to the United States, or that, if opportunity was allowed, would not honestly renew their allegiance. Those who have had the *happiness* to reside, during these troubles, in what is called the "Border States" have been able to gather many interesting facts tending to illustrate the question in hand, as well, perhaps, as the profoundest philosophical speculations. They saw the inception of the secession movement. They have watched the progress of the controversy to the present time. They have marked the good effects of more dispassionate reflection on some; the influences of official patronage on others; the power of trade on others; the prestige which attended the continually increasing successes of the Union cause in those States on others, and they have seen, aside from the progress of our arms, how potent energies have constantly wrought to convert the original secessionists into friends of the Government. They have seen many who were lukewarm at first, or advised neutrality, or denounced the President's first call for troops, become zealous supporters of Government—and many who at first took arms against us, either abandoning the rebel cause, and remaining quiet, or taking sides with the Union armies in the field. They have seen more than this. They have seen original secessionists aspiring to political positions in Conventions and Legislatures, and taking the lead in the most stringent measures of disfranchisement against every one who has at any time indulged even a rebellious thought.

One is at a loss which most to be amazed at in those who clamor for a general disfranchisement of the rebel masses, their utter ignorance of all the teachings of history on this subject, or the unchristian temper which they display.

Contemplate but for a moment the statement on which their whole scheme rests; that is, that no rebel can possibly reform! That when he takes the most solemn oath he cannot be believed! That all such declarations are hypocritical! That when he joins the Union army, and places his life between his

Government and its enemies, he is only a spy! In other words that none of these erring and misguided people shall ever return to their allegiance, even if they desire to do so! Not only so, but if any man has ever had a thought or a desire of rebellion in his heart—even though he discarded the wicked thing before it had produced a single action, or been communicated to a human being, that man is a veritable rebel, and his guilt is so great as to admit of neither pardon nor extenuation! Reflect that those who hold and propagate such sentiments are Christian men, believers in the religion of Jesus, proposing to conform their lives to His example!

Two such political documents as the Maryland and Missouri ordinances of disfranchisement are not to be found elsewhere in the records of modern civilization. They breathe the very worst spirit of persecution. They rival the vindictive fierceness of tyranny as displayed in its most approved examples. When Dyonisius, the tyrant, put Marsyas to death for dreaming he had cut his throat, he was no more illogical than the Missouri and Maryland Radicals. Marsyas denied that he had ever intended to cut the tyrant's throat, but Dyonisius assumed that Marsyas could not have dreamed about it in the night unless he had thought about it in the day, and so put him to death.

Our Radicals assert that whatever one has done, or wished to be done at one time, he wishes to do now, and act much like Dyonisius. Both the Missouri and Maryland ordinances proceed upon the inquisitorial purpose of dragging to light for punishment the secret thoughts of the mind! A practice which it has been fondly hoped had disappeared forever. They require every citizen who offers to vote to declare whether or not he ever did in his life indulge a secret wish in favor of the rebellion. If he avows that he had such a wish, for a moment, his vote is rejected! If he says he never had such thoughts, he can vote, unless his oath is disproved.

It is not what the man has done, but what he has once thought of doing; it is not what he is, but what he has been, which draws down upon his head this inquisitorial vengeance. For, they say, he never shall reform!

The result, practically, of this will be, that those who are honest enough not to commit perjury will not vote; while nearly all who disregard their oaths will vote! But this is not the only absurdity of such a prohibition. Unless the rebellion is put down, the law which is intended to exclude from suffrage the rebel population cannot be enforced, and the law is useless. And if it is put down, so that this law may be enforced, every other law may be enforced as well, and there remains no longer any cause of fear on account of secession, and no rational motive for disfranchisement.

This brings us to the question whether or not rebels, even if we are not fully assured of their sincerity in taking an oath of allegiance, may not safely be allowed to vote after the suppression of the armed rebellion. Whence, then, comes this unmitigated horror which many sincere persons express at the suggestion of rebels voting? Upon what is it based? It has been the continual practice of every people, among whom popular suffrage obtains as a permanent institution, to allow such persons to vote after rebellion has been suppressed, on a solemn oath of allegiance and abjuration.

If the practice has not been attended with any serious difficulty in France, Austria, Prussia, Spain or England, nor heretofore in the United States, when, at the close of the Revolutionary war, the whole Tory party were acknowledged

as citizens, entitled to all the rights and privileges conceded to the Whigs of that day, we are authorized to believe that the objections which have been urged against it are rather imaginary than real. On a most careful consideration of the subject, no solid ground can be found on which to infer that serious injury could result from allowing them to vote.

It has been said that if they are allowed to vote, they will pass unconstitutional laws, get up new ordinances of secession, and we shall, from such causes, have the war right over again. This is just about as probable as that the Tories of the Revolution, in 1783, would attempt to set up the King's Government in America, after his armies had been captured. Men who are defeated and disarmed do not desire to renew the conflict without arms. To expect such a thing would be to look for a miracle. Motives as strong as the love of life and the dread of death would lead in an opposite direction.

The odium which would attach on the secession movement after its final defeat, and the ignominious execution of its leaders as traitors to their country, the sense of happiness at escaping from its desperate hazards, the danger of incurring again the penalties of violated allegiance, the hopes of preferment under the re-established Government, the prestige of success crowning the national arms, the universal desire to retrieve the personal and pecuniary disasters growing out of the war, and to repair so many ruined fortunes, would plead with a thousand tongues of eloquence against any new outbreak. It must be observed that extending to our defeated rebels the right of suffrage could not of itself promote the cause of secession. Voting never did any harm to the Union cause. The ordinances of secession, when made, were not worth the paper upon which they were written, so far as they of themselves constituted part of the insurrectionary programme. These ordinances were unconstitutional and void, and would only have subjected all who passed them to ridicule and contempt, but for the appeal which was made to arms in their support.

It was not voting but arms that made secession formidable. Every secessionist will comprehend that when the present rebellion is put down, that to elect secessionists to office again, and re-enact secession ordinances would be sheer nonsense, unless supported by a military and naval power greater than that which is now or has been in the field. But where is such a power in such a case to be raised up for them?

If this Government, in the miserable condition in which Mr. Buchanan left it, shall be able to sustain itself, and finally to grind into powder the stupendous fabric of organized treason confronting Mr. Lincoln, in March, 1861, what will secessionists think of its power to cope with treason disorganized and unarmed?

That the present rebellion can be effectually put down, and that the secessionists will undertake to renew the contest, unless driven to despair, is to all human reason the most improbable of results.

But if, as assumed, secession is not voting, but fighting, why should any man who means to fight renew his allegiance. Every such man can more successfully maintain his purpose of fighting without renewing his allegiance than with it. If the secessionists shall contemplate revolutionizing government by arms, and have the power to do anything in that way how will disfranchisement prevent them from carrying out this purpose? If they do not mean to resort again to arms when the present effort is exhausted how is it possible for them, by mere voting, to put down a Government which their utmost physical force failed to destroy?

A more potent argument perhaps than any yet mentioned is that the restora-

tion of the Government of the United States in the revolting sections cannot be effected wholly by force. It is admitted that in the business of restoration force, power of arms, has been a proper and judicious means well adapted to an end. But it cannot do the whole work. Unless some old chord of affection can be touched; unless the interest of the Southern people can be made to hinge on restoration; unless they can be made to see their happiness and prosperity in it; unless their nobler and better aspirations can be gratified by it, they will never take part in the work of reconstruction. To suppose they will is to suppose them to be destitute of all the motives to human action. Say to the rebel masses that they are not to vote, not to hold office, not to have the least influence in the political future of their country, and you take away from them every inducement to join you in reconstruction. Nay, you do more than this: you make them tenfold more than ever your enemies. They would see themselves reduced to the condition of mere serfs and vassals—their liberties destroyed, their persons degraded. Under such circumstances nothing could be expected from them but feelings of the bitterest hatred and revenge toward your Government. They would no longer recognize a mild fraternal Government which could forgive them their past offences, and look after their future interests, but an iron despotism, breathing the spirit of oppression and vengeance; a Government which they would not cease to curse, and teach their children to curse with their earliest and their latest breath. And every motive which could stimulate the souls of men would urge them to renewed resistance to its authority. The question would not longer be whether they would not find their interest in a renewed allegiance, but whether they could possibly be worse off by continued opposition. Under such circumstances it would become necessary to garrison, and hold by arms, indefinitely, the seceding States. And this it would be found impossible to do. The country to be thus held indefinitely is too extensive; the population too great; the expense too enormous. The idea of holding by arms, in this way, the Southern States, is a flat absurdity.

From the time in which such a policy shall be adopted, the whole issue between the Government and the rebels will be changed. The question will no longer be whether the rebels shall submit to the Government of the United States, but whether they shall continue to be the victims of an insufferable oppression. The humane, the intelligent, and the just, everywhere, would pity their misfortunes. Peace would be impossible. The sympathies of the nations, hitherto unmoved, would now be enlisted warmly in their favor; and a contest, new in all its features, and just in its pretensions, would spring up from the ashes of a groundless and infamous rebellion.

Those who advocate Mr. Ashley's policy commit only one error, but that is a tremendous error for Americans to make. They deny the only principle on which rests the system of American liberty: That principle THAT MAN IS CAPABLE OF SELF-GOVERNMENT. That though he may go astray, his intelligence and virtue will lead him back to the right path. That on the whole he can discern in what direction his real interest lies, and that before the great bar of human reason "error is harmless when truth is left free to combat it."

The genius of Republican institutions does not teach us that citizens will never forget their duty, will never, from promptings of ambition, or more unpremeditated transports of passion, rebel against a good Government. Nor did the founders of the Government of the United States look for any such perfection, either in their work or the people who were to live under it. They looked for the very reverse. They knew that the reverse would certainly take place

The history of the Confederation, the call for the Convention at Annapolis, the circumstances which led to the Convention of 1789, the debates of that Convention, the Constitution itself, all prove that the probability of rebellion was continually before their eyes.

In no one instance did the great and good men who laid the foundation of our government intimate that it should ever be proper to disfranchise large masses of the people. It was their especial business to provide against that very thing. In that consisted the bane of all the arbitrary governments in the world—the disfranchisement of the popular masses. It was their special mission to see that it never took place here. They therefore prefaced the Constitution they made with this plain declaration:

"We, the people of the United States, in order to form a more special Union, establish justice, insure domestic equality, provide for the common defence, promote the general welfare and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America."

When that declaration was put forth, there was not a single American Constitution which did not declare as the fundamental principle of liberty that the *people* are the *source* of all political power. There is no room to doubt that a proposition in 1789, or any time since, prior to these troubles, to authorize the majority of the people to disfranchise the minority for rebellion or any other offence, would have been received with unmixed astonishment by the whole American people.

If any thing is certain it is that the statesmen of 1789 would have considered such a measure at war with every feature of their system. If is quite as reasonable to believe that they contemplated, in the event of any wicked insurrection that might arise, the creation of a King and Queen and a hereditary nobility. They did indeed provide guards, against popular faction and they deemed them sufficient. They required the people to delegate the law making power to their representatives. They created two separate branches of the Legislature and limited them by different tenures of office, that they might operate as checks on each other. They appointed one Executive Department, whose negative was salutary in controlling inconsiderate legislation; they set up a judiciary to dispense justice *according to law*, and to nullify unconstitutional enactments. They inculcated the duty of spreading knowledge among the people. They endued the government they made with the awful prerogative of arms to repress when needful the spirit of insurrection. But they never entertained the idea that the government thus made was the peculiar property of any party, loyal, or disloyal, or that large masses of the people or large sections of the country were to be excluded from its blessings for any offence they should commit. The liberty which they set up, they intended to be perpetual. They declared it absolutely unalienable.

If this doctrine of popular disfranchisement is to be admitted into our system the whole theory of Republican Government vanishes

"Like the baseless fabric of a vision."

If it has been discovered that four or five millions of the people of the United States have become so bad that they are not fit to enjoy the common rights of men; so corrupt that when they offer to renew their allegiance they cannot be

trusted; so anti-republican they should not be suffered to return to their duty if they would; such predestinated criminals that repentance and reformation are not to be thought of as things possible with them; so fallen as not to be any more within the reach even of religious influence; what assurance have we that the residue of our population may not ere long fall into the same category? And what is that solid foundation on which the patriot can longer rest his hope of maintaining free institutions here or any where upon the face of the earth?

Directly opposed to this is the policy of the President, if it be proper to assume that the President has any settled policy of his own. However, his amnesty proclamation of the 8th of December, 1863, speaks this emphatic language to the masses of the rebel population: "Lay down your arms, renew your allegiance to your country, by solemn oath; submit yourselves to her laws, and be freemen again."

Here is the language of intelligent statesmanship; a voice of wisdom speaking from the experience of ages; a voice of humanity which breathes compassion even for such as have sinned, and sinned deeply; a voice of hope to miserable and ruined men, and, altogether, the noblest measure of justice which circumstances allow to an insulted and outraged Government.

In this wise and liberal policy of the President, should he not be diverted from it, there is more hope of restoration than there is in millions of bayonets without it. Between the two policies, that of the President and that of his Radical supporters, the nation is to choose. How much depends upon it!

In bringing these remarks to a conclusion, it is believed the writer cannot do the reader a better service than by reminding him of the advice of the great Montesquieu, touching the case before us:

He says: "Great punishments and consequently great changes cannot take place without investing some citizens with exorbitant power. It is, therefore, more advisable in this case to exceed in lenity than severity; to banish but few rather than many, and to leave them their estates, instead of making a vast number of confiscations. *Under the pretence of avenging the Republic, the avengers would establish tyranny.* Their business is not to destroy the rebel but the rebellion. They ought to return as quick as possible to the usual track of the Government, in which every one is protected by the laws, and no one injured."

The Count de Gasparin, by far the ablest writer who has espoused our cause in Europe, has, from the first, defended the Union side, with a pen so eloquent and so profound as to entitle him to the gratitude of every true American. His position, his talents, his knowledge and his virtues, command for his opinions on American questions the very greatest respect. As a Frenchman he had been able to add to the philosophical deductions of a great intellect the benefits of an actual experience amid scenes of revolution only recently known in our own country. It will be remarked how accurately his views, anxiously promulgated for our guidance in the present case, accord with those above quoted from the "SPIRIT OF LAWS." He regarded the "re-establishment" of the Union a delicate but not unhopeful task; and argued that "POLITICAL LIBERTY" would be found "a powerful means therein." Speaking of the people of the United States he says:

"For nearly a century, the sum told, they have lived together under the same Constitution, with the same destinies, by no means devoid of greatness. Such a history is a bond. More than one glorious memory, more than one

illustrious name, causes the hearts of men to beat alike in the North and South. Far from discovering there two people naturally hostile, I cannot help seeing a single people, whose unity seems founded on indestructible bases. Not only is there unity of language, unity of origin, unity of religion, but it would be difficult to find, apart from slavery, any cause of antagonism. The solidarity of interests is evident. There is no rivalry. The agricultural South completes the manufacturing North. The rich cultures of the South have need to prosper off the capital of the North—the entre-ports of the North, the vast commerce of the North."

* * * * "I have spoken of *political liberty*. A powerful means will also be found therein for a return to the Union. After the defeat of the South there must be neither victors nor vanquished. It is the admirable privilege of free countries that the words *subjugation* and *conquest* are terms destitute of meaning. A conquest would leave deep wounds, which it would be very difficult to heal. The suppression of a rebellion leave no such traces. After, as before it, the independence of the States is maintained, their Representatives sit in Congress, parties contend for their votes, and their influence is exercised over the general direction of affairs."

"The first condition of the re-establishment of the Union is that the North victorious [I suppose this hypothesis] give proof of generosity. No refusals, no recriminations, no inequalities, even temporary. Think no more of the past. Make haste to blot out those measures of confiscation which grieve your friends. Do not say to yourselves that the rebellious South has done the same."

"To re-establish union is more difficult than to destroy it. It needs more forgetfulness of injuries, more magnanimity and more virtue."

The "America before Europe" had not been issued from the press when the Count De Gasparin had passed away from earth. So that these solemn warnings may be said to speak to us from the grave of the departed sage. Shall we heed them? Possibly. Probably not. The time is one of exasperation. All feel and few reflect. In two States a majority of the people has disfranchised the minority, expelled them from the temple of liberty and forbid their return.

In the next Congress Mr. Ashley may have friends enough to pass his *unconstitutional* enactments, and apply the same measures of proscription to the millions of the Southern people. We shall see.

If the people of the United States shall deliberately commit themselves to such a deed, the fact will do more than any event which has yet transpired to place a definite value on all popular institutions; and to dispel an agreeable illusion which, for a long while, has engaged the imaginations of men.



